

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Governmental and Regulatory Affairs, to which was referred House Bill No. 2147, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
- 2 "SECTION 1. IC 4-22-2.5-1.1 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE UPON PASSAGE]: **Sec. 1.1. (a) This section applies**
- 5 **to the following:**
- 6 (1) A rule that is required to receive or maintain:
- 7 (A) delegation;
- 8 (B) primacy; or
- 9 (C) approval;
- 10 for state implementation or operation of a program
- 11 established under federal law.
- 12 (2) A rule that is required to begin or continue receiving
- 13 federal funding for the implementation or operation of a
- 14 program.
- 15 (b) A rule described in subsection (a) does not expire under this
- 16 chapter.
- 17 (c) An agency shall solicit comments in the manner described in
- 18 IC 4-22-2-23.1 every seven (7) years to determine whether a rule
- 19 described in subsection (a) is in compliance with current state and
- 20 federal laws and regulations governing implementation or

operation of the program for which rules are established. If the agency determines that the rule is not in compliance, the agency shall initiate a rulemaking action to bring the rule into compliance."

Page 2, delete lines 1 through 3.

Page 2, line 6, after "(b)" insert "or section 1.1 of this chapter".

Page 2, delete lines 19 through 33, begin a new paragraph and insert:

"SECTION 3. IC 13-14-9.5-1.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.1. (a) This section applies to the following:**

(1) A rule that is required to receive or maintain:

(A) delegation;

(B) primacy; or

(C) approval;

for state implementation or operation of a program established under federal law.

(2) A rule that is required to begin or continue receiving federal funding for the implementation or operation of a program.

(b) A rule described in subsection (a) does not expire under this chapter.

(c) A board shall solicit comments in the manner described in IC 4-22-2-23.1 every seven (7) years to determine whether a rule described in subsection (a) is in compliance with current state and federal laws and regulations governing implementation or operation of the program for which rules are established. If the board determines that the rule is not in compliance, the board shall initiate a rulemaking action to bring the rule into compliance."

Page 2, line 36, after "(b)" insert "or section 1.1 of this chapter".

- 1 Page 3, after line 7, begin a new paragraph and insert:
- 2 "SECTION 4. **An emergency is declared for this act.**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 2147 as printed February 27, 2001.)

and when so amended that said bill do pass .

Committee Vote: Yeas 7, Nays 2.

Senator Merritt, Chairperson